

October 1, 2015

Hon. Ronie Abrams
United States District Judge
Southern District of New York
United States Courthouse Rm 228
40 Foley Square
New York, NY 10007

Re: Case No. 15-CV-00495 "Modesto Vs. Figueroa, et. al."

Dear Judge Abrams,

I am the pro se plaintiff in the above case.

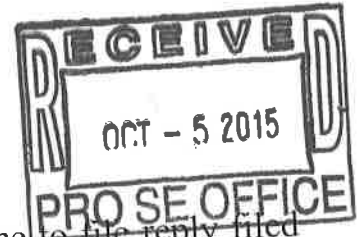
I filed this letter to oppose the motion for extension of time to file reply filed by Atty. David Ward, counsel for individual defendants Securitas employees (Securitas for brevity).

Kindly note that Atty. Ward has repeatedly moved for the cancellation on two (2) occasions of the mediation proceedings which have granted in error despite my opposition. Atty. Ward it is believed, may have deceived the mediator into believing that no opposition was filed on his requests, because the plaintiff timely filed emails in this regard. Please see attached emails addressed to my mediation Atty. David White and mediator Eric Dranoff. The other defendants have not asked for cancellation, but only Atty. Ward in behalf of Securitas, without prejudice to plaintiff's pursuit of remedies to declare Securitas in default. Plaintiff filed a previous letter addressed to the Court and will shortly inform this Court of his further moves.

I am grateful that your Honor denied Atty. Ward's persistent requests addressed to the Court and the mediator, to stay, cancel or reschedule the mediation without basis.

It is advised that even in the EEOC where this case originated, defendant Securitas has avoided efforts of the EEOC Investigator to mediate between plaintiff and Securitas.

Plaintiff believes that the numerous attempts of Atty. Ward to frivolously delay this case is now evident before the Court. Plaintiff urges the Court that its



judgment be not swayed by the careless statements of opposing counsel that plaintiff has filed duplicative complaints. As can be gleaned from the attached emails, and the motion for reconsideration in the previous case of Securitas handled by plaintiff's former counsel Felix Vinluan, it is that counsel's fault that 2 cases have been filed. Atty. Vinluan's suspicious possible misconduct in encouraging plaintiff to make a mistake, is now under scrutiny. Plaintiff therefore should not, in any way be blamed by the filing of those cases since he believes he may have been a victim of negligent and unfaithful legal representation.

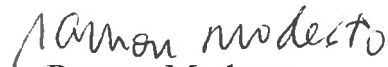
Plaintiff requests the Honorable Court to deny the Motion for extension of time to file reply filed by defendant Securitas through Atty. Ward, in order not to delay this case further either through litigation under this Court, or mediation under the mandatory rules of the Southern District of New York.

Plaintiff also reserves the right to pursue further legal action in his pursuit of remedy to declare defendant in default for failure to file a motion to dismiss on time under Rule 66 of the Federal Rules of Civil Procedure.

Thank you.

att. a/s

Respectfully,



Ramon Modesto

Plaintiff

cc: David Ward
Kluger Healy, LLC
Attorneys at Law
Counsel for defendant Securitas
23 Vreeland Road, Suite 220
Florham Park , NJ 07932